

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF NORTH DAKOTA**

**Dakota Access, LLC  
Dakota Access Pipeline Project  
Siting Application**

**CASE NO. PU-14-842**

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**CERTIFICATION OF JOEY MAHMOUD**

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STATE OF TEXAS

COUNTY OF HARRIS

Joey Mahmoud, being first duly sworn upon oath, states and alleges as follows:

1. That I am employed as the Vice President of Engineering for Dakota Access, LLC (“Dakota Access”) for the Dakota Access Pipeline Project (the “Project”) and have the authority to bind Dakota Access with respect to the certification made herein.
2. That I submit this certification in accordance with North Dakota Century Code (“N.D.C.C.”) § 49-22-16.3(1) in support of Dakota Access’s route adjustment for the Project.
3. That on January 20, 2016, the North Dakota Public Service Commission (“Commission”) issued its Findings of Fact, Conclusions of Law and Order granting Dakota Access a Certificate of Corridor Compatibility and Route Permit for the Project.
4. That on May 24, 2016, the Commission issued its Supplemental Findings of Fact, Conclusions of Law and Order granting Dakota Access First Amended Certificate of Corridor Compatibility No. 179 and First Amended Route Permit No. 191 for the Project.
5. That Dakota Access now seeks to modify the approved Project route, as depicted on the map filed herewith, under N.D.C.C. § 49-22-16.3(1).

6. The reroute will occur in Morton County, North Dakota. A map depicting the designated corridor and route, and the route adjustment, is attached hereto as **Exhibit A**.

7. The owner of the real property on which the adjustment is to be located does not oppose the adjustment. Attached hereto as **Exhibit B** is the landowner information for the landowner affected by the route adjustment.

8. All construction activities for the route adjustment will be within the previously designated corridor. *See Exhibit A.*

9. The studies conducted in connection with the original application for the Project cover the route adjustment. *See PSC Docket No. 1 et seq.*

10. Dakota Access reviewed the survey information submitted in conjunction with the original application, and any applicable supplemental surveys, for the route adjustment. In reviewing the previously submitted information, no exclusion or avoidance areas were found that will be impacted by the route adjustment. *See **Exhibit C***. Exhibit C contains information setting forth the findings of the environmental crossing analysis review for Reroute Location 132 in table format. Exhibit C also contains a table setting forth the exclusion and avoidance criteria analysis review performed for Reroute Location 132.

11. The route adjustment was necessitated by an unanticipated discovery of cultural materials on October 17, 2016. In connection with the discovery, Dakota Access prepared an Unanticipated Discovery Notification, which is attached hereto as **Exhibit D**. Exhibit D contains privileged and confidential information which is not suitable for public distribution.


12. That following the unanticipated discovery, the Unanticipated Discovery Notification was provided to the North Dakota State Historic Preservation Office for review and

approval. A letter from the North Dakota State Historic Preservation Office concurring with the findings set forth in the Unanticipated Discovery Notification is attached hereto as **Exhibit E**.

13. That Dakota Access will comply with the Commission's orders, laws, and rules designating the corridor and designating the route.

  
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Joey Mahmoud

Subscribed and sworn to before me  
this 27<sup>th</sup> day of October, 2016.

  
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Notary Public

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